

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

Page 1 of 4 APPLICATION 5160A

PERMIT 2649

LICENSE 1183A

THIS IS TO CERTIFY, That

William P. Lockett and Jean B. Lockett 21448 Cranmore Road Knights Landing, CA 95645

have made proof as of May 29, 1931 (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of Sacramento River in Sutter County

tributary to Suisun Bay

for the purpose of Irrigation use

under Permit 2649 of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from August 18, 1926 and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed one (1.0) cubic foot per second to be diverted from April 1 to October 1 of each year.

The equivalent of such continuous flow allowance for any 30-day period may be diverted in a shorter time, if there be no interference with other rights.

(0000027)

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

North 1,050 feet and West 3,900 feet from SE corner of projected Section 11, T11N, R2E, MDB&M, being within SE $_{\chi}$ of SW $_{\chi}$ of said Section 11.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

- 37.0 acres within SE% of SW% of projected Section 11, T11N, R2E, MDB&M.
- 16.5 acres within SW% of SE% of projected Section 11, T11N, R2E, MDB&M.
- 18.6 acres within NE% of NW% of projected Section 14, T11N, R2E, MDB&M.
- 72.1 acres total, as shown on map on file with State Water Resources Control Board.

As there is a possibility that there will not be sufficient water in Sacramento River during the latter part of the irrigation season to satisfy all requirements, this license is subject to the express condition that the use hereunder may be regulated by the Division of Water Rights during such periods of water scarcity to the end that such use will not interfere with rights under prior applications.

(0000090)

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Licensee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOVEMBER 8 1996

STATE WATER RESOURCES CONTROL BOARD

Chief, Division of Water Rights



STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

Page 1 of 4
APPLICATION 5160B

PERMIT 2649

LICENSE 1183B

THIS IS TO CERTIFY, That

Sutter Basin Growers Cooperative Post Office Box 355 Knights Landing, CA 95645

have made proof as of May 29, 1931 (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the water of Sacramento River in Sutter County

tributary to Suisun Bay

for the purpose of Irrigation use

under Permit 2649 of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from August 18, 1926 and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed five-tenths (0.5) cubic foot per second to be diverted from April 1 to October 1 of each year.

The equivalent of such continuous flow allowance for any 30-day period may be diverted in a shorter time, if there be no interference with other rights.

(0000027)

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

North 1,050 feet and West 3,900 feet from SE corner of projected Section 11, T11N, R2E, MDB&M, being within SE½ of SW½ of said Section 11.

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

- 25.5 acres within SW% of SE% of projected Section 11, T11N, R2E, MDB&M.
- 0.1 acre within SE表 of SW表 of projected Section 11, T11N, R2E, MDB&M.
- 7.4 acres within NE% of NW% of projected Section 14, T11N, R2E, MDB&M.
- 14.9 acres within NW% of NE% of projected Section 14, T11N, R2E, MDB&M.
- 47.9 acres total, as shown on map on file with State Water Resources Control Board.

As there is a possibility that there will not be sufficient water in Sacramento River during the latter part of the irrigation season to satisfy all requirements, this license is subject to the express condition that the use hereunder may be regulated by the Division of Water Rights during such periods of water scarcity to the end that such use will not interfere with rights under prior applications.

(0000090)

Licensee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOVEMBER 8 1996

STATE WATER RESOURCES CONTROL BOARD

A Chief, Division of Water Rights

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

Application	5160	Permit	2649	License	1183	

ORDER CORRECTING DESCRIPTION OF POINT OF DIVERSION, DIRECTING ISSUANCE OF SEPARATE LICENSES AND REVOCATION OF ORIGINAL LICENSE

WHEREAS:

- License 1183 was issued to the Commercial Investment Company of Sacramento on April 18, 1932, pursuant to Application 5160 and filed with the County Recorder of Sutter County on April 30, 1932.
- License 1183 was subsequently assigned to William P. and Jean B. Lockett.
- 3. The licensee informed the State Water Resources Control Board (SWRCB) by letter dated December 21, 1995, that a portion of the POU and quantity of water under license 1183 was sold to the Sutter Basin Growers Association.
- 4. The SWRCB staff determined the description for the point of diversion should be corrected. The correction is needed to conform with the 1981 USGS (7.5') Quadrangle Map Knights Landing.
- 5. A request for issuance of separate licenses to cover licensees' respective use has been filed with the SWRCB and said SWRCB has determined that good cause for such change has been shown.
- 6. The SWRCB has determined that the requested correction does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

- 1. The description for the Point of Diversion be corrected to read: North 1,050 feet and West 3,900 feet from SE corner of projected Section 11, T11N, R2E, MDB&M, being within SE% of SW% of said Section 11.
- License 1183 be replaced by License 1183A issued to William P. and Jean B. Lockett and License 1183B issued to the Sutter Basin Growers Cooperative.
- 3. Superseded License 1183 is hereby revoked upon assignment of Licenses 1183A and 1183B.

(Application 5160) License 1183 Page 2

Separate licenses be issued as follows: 4.

> License: Α.

1183A (Application 5160A)

Owner:

William P. Lockett and Jean B. Lockett

21448 Cranmore Road

95645 Knights Landing, CA

1.0 cubic foot per second

Sacramento River tributary to Suisun Bay

in Sutter County Irrigation

Source: Use:

Amount:

Season:

April 1 to October 1

Point of Diversion:

North 1,050 feet and West 3,900 feet from SE corner of projected Section 11, T11N, R2E, MDB&M, being within SE% of SW% of

said Section 11.

Place of Use:

37.0 acres, within SE% of SW% of projected

Section 11;

16.5 acres, within SW% of SE% of projected

Section 11;

18.6 acres, within NE% of NW% of projected

Section 14,

72.1 acres total, all within T11N, R2E, MDB&M, as shown on map on file with the

SWRCB

License: В.

Owner:

1183B (Application 5160B)

Sutter Basin Growers Cooperative

P.O. Box 355

Knights Landing, CA 95645 Sacramento River tributary to Suisun Bay

in Sutter County

Irrigation Use:

Amount:

Source:

Season:

Point of

0.5 cubic foot per second

April 1 to October 1

Diversion:

North 1,050 feet and West 3,900 feet from SE corner of projected Section 11, T11N, R2E, MDB&M, being within SE% of SW% of

said Section 11.

Place of use:

25.5 acres, within SW% of SE% of projected

Section 11;

0.1 acre, within SE% of SW% of projected

Section 11;

7.4 acres, within NE% of NW% of projected

Section 14;

14.9 acres, within NW% of NE% of projected

Section 14,

47.9 acres total, all within T11N, R2E, MDB&M, as shown on map on file with the

SWRCB

Licenses 1183A and 1183B shall contain all other terms and conditions 5. presently in License 1183 or updated terms to reflect present SWRCB policy including replacing the SWRCB's continuing authority terms as contained in Title 23, California Code of Regulations, Section 780(a).

Dated: NOVEMBER 8 1996

Edward C. Anton, Chief Division of Water Rights



FORM 64

STATE OF CALIFORNIA DEPARTMENT OF PUBLIC WORKS

DIVISION OF WATER RESOURCES

License for Diversion and Use of Water

LICENSE 1183	PERMIT 2649	APPLICATION_	5160
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THIS IS TO CERTIFY, That The Commercial Investment Company of Sacramento,

California

by made proof to the satisfaction of the Division

of Water Resources of California of a right to the use of the waters of Sacramento River in Sutter County

tributary of Suisun Bay

for the purpose of irrigation use

under Permit 2649 of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from August 18, 1926;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed one and five tenths (1.5) cubic feet per second from about April 1st to about October 1st of each season. In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located South two hundred (200) feet from the northwest corner of the SE of the SW of Section 11, T 11 N, R 2 E, M.D.B.& M.; being within the SE of SW of said Section 11.

A description of the lands or the place where such water is put to beneficial use is as follows:

As there is a possibility that there will not be sufficient water in Sacramento River during the latter part of the irrigation season to satisfy all requirements, this license is issued subject to the express condition that the use here—under may be regulated by the Division of Water Resources during such periods of water scarcity to the end that such use will not interfere with rights under prior applications.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

This license is granted and said appropriator takes all rights berein mentioned subject to the terms and conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

conditions set forth in Section 20 of Chapter 586, Statutes 1913, which is as follows:

Sec. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for such time as the water actually appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which aid water was appropriated but no longer; and every such permit or license shall include the enumeration of conditions therein expressed; provided, that if, as any time sferre the expiration of twenty wars after the granting of a license, the state, or any city, city and county, municipal water district, irrigation district, lighting district, or any political bublivishment of the rights granted under said license and the work that the same subject to such conditions as the state of the conditions and used under said license and the work that the same subject to such conditions are completed and county property can not agree upon said purchase price, said price shall be determined in such manner as is now or may hereafter be determined in eminent domain proceedings. If it shall appear to the state water commission at any under a state of the state of the state water commission at any under a state of the state of the state water commission at any under the state state of the state of the



Witness my hand and the seal of the Department of Public Works of the State of California, this 18th , 1932

> EDWARD HYATT State Engineer

4 Albert N. & Lucille E. Johnson 10/18/55 Name J Marion G. Ernst dropped

3-3-76 Int OF HUBERT N. JOHNSON + LUNKACE G. ERNST TRANSFERRED TO WOLF E. JOHNSON

7694 ADSINTO William P. & Jean B. Lockett

DIVISION OF WATER RESOURCES

DEPARTMENT OF PUBLIC WORKS

LICENSE

LICENSE

APPROPRIATE WATER

SSUED TO The Commercial Investment